## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

GEIS CONSTRUCTION SOUTH, LLC,	)
Claimant v.	) CASE NO. 2:21-CV-02407
MDC HOME IMPROVEMENTS, INC.,	) JUDGE LaSHANN DeARCY HALL
Respondent	) MAGISTRATE JUDGE STEVEN ) TISCIONE
	ORDER: (A) DECLARING  RESPONDENT MDC HOME  IMPROVEMENTS, INC. PROPERLY  SERVED WITH THE APPLICATION  TO CONFIRM ARBITRATION AWARD  AND SUMMONS FOR THE PURPOSES  OF THE NONRESIDENT SERVICE  REQUIREMENT OF 9 U.S.C. § 9; AND  (B) GRANTING GEIS CONSTRUCTION  SOUTH, LLC'S APPLICATION TO  CONFIRM ARBITRATION AWARD

PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 7.1 and 9 U.S.C. §§ 9 and 13, Claimant Geis Construction South, LLC ("Geis" or "Claimant") hereby moves for an Order: (a) declaring that Respondent MDC Home Improvements, Inc. was properly served with the Application to Confirm Arbitration Award and Summons for the purposes of the nonresident service requirement of 9 U.S.C. § 9; (b) granting the Application to Confirm Arbitration Award in the principal amount of §10,021,831.10 along with "interest...at the statutory rate then in effect" starting on April 11, 2021; and (c) entering a judgment in favor of Claimant and against Respondent in that same amount.

The relief sought by Claimant is made upon the accompanying: (A) Declaration of Christopher Nucifora; (B) Memorandum in Support of Motion for an Order: (i) Declaring Respondent MDC Home Improvements, Inc. Properly Served with the Application to Confirm Arbitration Award and Summons For the Purposes of the Nonresident Service Requirement of 9 U.S.C. § 9; and (ii) Granting Claimant's Application to Confirm Arbitration Award; and (C) the Proposed Order filed herewith, along with all pleadings and papers previously filed in connection with this matter.

Dated: October 7, 2021

Respectfully Submitted,

/s/ Christopher Nucifora

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Counsel for Claimant Geis Construction South, LLC

## **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was filed electronically on October 7, 2021.

Notice of this filing has be sent on October 7, 2021 to Respondent via regular U.S. mail and email:

MDC Home Improvements, Inc. c/o Jaime Delahunt 1 Argyle Road Plainview, NY 11803

jaimemdc@gmail.com

/s/ Christopher Nucifora

One of the Attorneys for Claimant Geis Construction South, LLC